

ECF

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:07-cv-06443-LTS**

Banco Popular Dominicano, C. Por A. v. Levi Strauss & Co. Date Filed: 07/16/2007  
Assigned to: Judge Laura Taylor Swain Jury Demand: Defendant  
Cause: 28:2201 Declaratory Judgement Nature of Suit: 890 Other Statutory  
Actions  
Jurisdiction: Federal Question

**Plaintiff**

**Banco Popular Dominicano, C. Por  
A.**

represented by **Mary Ellen Shuttleworth**  
Herrick, Feinstein LLP  
2 Park Avenue  
New York, NY 10016  
(212)-592-1469  
Fax: (212)-545-3391  
Email: mshuttleworth@herrick.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**Levi Strauss & Co.**

represented by **Ronald R. Sussman**  
Cooley Godward Kronish LLP  
1114 Avenue of the Americas  
New York, NY 10036  
(212) 479-6063  
Fax: (212)-479-6275  
Email: rsussman@cooley.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**ThirdParty Defendant**

**Interamericana Products  
International, S.A.**

**ThirdParty Defendant**

**QST Dominicana LLC**

**ThirdParty Defendant**

**US Paper & Chemical**

**ThirdParty Defendant**

**Apparel Machinery & Supply Co.**

**ThirdParty Defendant**

**YKK Snap Fasteners America, Inc.**

represented by **Howard F. Strongin**  
Strongin Rothman & Abrams, LLP  
50 Broadway, Suite 2003  
New York, NY 10004  
2129318301  
Fax: 2129318319  
Email: hstrongin@sralawfirm.com  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**ThirdParty Defendant**

**Southern Textile Dominicana, Inc.**

**ThirdParty Defendant**

**Southern Textile Dominicana, Inc.**

**ThirdParty Defendant**

**The Graphic Label Group  
Dominicana, Inc.**

**ThirdParty Defendant**

**Tag-It Pacific, Inc.**  
*TERMINATED: 10/01/2007*

**ADR Provider**

**Interamericana Apparel Company,  
Inc.**

**ThirdParty Plaintiff**

**Levi Strauss & Co.**

represented by **Ronald R. Sussman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**ThirdParty Defendant**

**Interamericana Apparel Company,  
Inc.**

**Counter Claimant**

**Levi Strauss & Co.**

represented by **Ronald R. Sussman**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Counter Defendant****Banco Popular Dominicano, C. Por A.**represented by **Mary Ellen Shuttleworth**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED***Cross Claimant****YKK Snap Fasteners America, Inc.**represented by **Howard F. Strongin**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Cross Defendant****Interamericana Apparel Company, Inc.****Cross Defendant****Interamericana Products International, S.A.**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
07/16/2007	<u>1</u>	COMPLAINT against Levi Strauss & Co.. (Filing Fee \$ 350.00, Receipt Number 620796)Document filed by Banco Popular Dominicano, C. Por A.(tro) (Entered: 07/17/2007)
07/16/2007		SUMMONS ISSUED as to Levi Strauss & Co. (tro) (Entered: 07/17/2007)
07/16/2007		Magistrate Judge Theodore H. Katz is so designated. (tro) (Entered: 07/17/2007)
07/16/2007		Case Designated ECF. (tro) (Entered: 07/17/2007)
07/16/2007	<u>2</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Grupo Popular, S.A. as Corporate Parent. Document filed by Banco Popular Dominicano, C. Por A.(tro) (Entered: 07/17/2007)
07/18/2007	<u>3</u>	AFFIDAVIT OF SERVICE of Summons and Complaint. Levi Strauss & Co. served on 7/17/2007, answer due 8/6/2007. Service was accepted by Rhonda McCarty of CSC Lawyers Inc.. Document filed by Banco Popular Dominicano, C. Por A.. (Gold, Andrew) (Entered: 07/18/2007)
07/23/2007	<u>4</u>	INITIAL CONFERENCE ORDER; that a pretrial conference shall be held in this matter on 10/12/2007 at 04:00 PM in Courtroom 17C, 500 Pearl Street, New York, NY 10007 before Judge Laura Taylor Swain. That counsel for plaintiff(s) shall serve a copy of this Initial Conference

		Order on dfts and any additional parties in the manner as set forth in this Order. That counsel for the parties confer preliminarily at least 21 days prior to the date set forth in paragraph 1 of this Order to discuss the matters set forth within. Additional relief as set forth in this Order. In the event that any party fails to comply with this Order, the Court may impose sanctions or take other action as appropriate. This case has been designated an electronic case. Counsel for all parties are required to register as filing users in accordance with the Procedures for Electronic Case Filing promptly upon appearing in the case. (Signed by Judge Laura Taylor Swain on 7/20/07) (pl) (Entered: 07/24/2007)
07/31/2007	<u>5</u>	CERTIFICATE OF SERVICE of Initial Conference Order by Judge Laura Taylor Swain served on Levi Strauss & Co. on July 26, 2007. Service was made by first-class U.S. mail. Document filed by Banco Popular Dominicano, C. Por A.. (Shuttleworth, Mary Ellen) (Entered: 07/31/2007)
08/06/2007	<u>6</u>	NOTICE of Stipulation Extending Time to Respond to Complaint to 8/27/07 re: 1 Complaint. Document filed by Levi Strauss & Co.. (Sussman, Ronald) (Entered: 08/06/2007)
08/07/2007	<u>7</u>	CERTIFICATE OF SERVICE of Stipulation Extending Time to Respond to Complaint served on Banco Popular Dominicano, C. Por A. on August 6, 2007. Service was made by Mail. Document filed by Levi Strauss & Co.. (Cohen, Jeffrey) (Entered: 08/07/2007)
08/24/2007	<u>8</u>	STIPULATION EXTENDING TIME TO RESPOND TO COMPLAINT: It is hereby stipulated and agreed, by and between Banco Popular Dominicano, C. Por A and Levi Strauss & Co., that the time for Defendant to answer, move or otherwise respond with respect to the Complaint, dated July 12, 2007, in the above entitled action is extended through and including August 27, 2007. (Signed by Judge Laura Taylor Swain on 8/22/07) (js) (Entered: 08/27/2007)
08/27/2007	<u>9</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. NO Corporate Parent. Document filed by Levi Strauss & Co..(Sussman, Ronald) (Entered: 08/27/2007)
08/27/2007	<u>10</u>	ANSWER to Complaint., THIRD PARTY COMPLAINT against Interamericana Apparel Company, Inc., Interamericana Products International, S.A., QST Dominicana LLC, US Paper & Chemical, Apparel Machinery & Supply Co., YKK Snap Fasteners America, Inc., Southern Textile Dominicana, Inc., The Graphic Label Group Dominicana, Inc., Tag-It Pacific, Inc., COUNTERCLAIM against Banco Popular Dominicano, C. Por A.. Document filed by Levi Strauss & Co.. (Attachments: # <u>1</u> Affidavit Certificate of Service)(Sussman, Ronald) (Entered: 08/27/2007)
08/27/2007	<u>11</u>	ORDER PURSUANT TO FEDERAL RULE 67 AND 28 USC 2041 & 2042 GRANTING LEAVE TO LEVI STRAUSS & CO. TO DEPOSIT INTERPLEADER PROCEEDS INTO THE REGISTRY OF THIS COURT: the deposit request is granted, and LS&Co is hereby authorized

		to deposit the Interpleader Funds into the registry of this Court to the extent such deposit is not consistent with the requirements of the laws of the Dominican Republic. (Signed by Judge Laura Taylor Swain on 8/24/07) Copies Faxed By Chambers.(kco) (Entered: 08/28/2007)
08/27/2007	12	LETTER addressed to Judge Laura T. Swain from Ronald R. Sussman dated 8/24/07 re: LS&O seeks to initiate an interpleader proceeding by way of counter-claim and third-party complaint against nine entities (including the plaintiff, Banco Popular Dominicano, C. Por A. that claim an interest in certain funds which LS&CO is in possession of. Document filed by Levi Strauss & Co.(dj) (Entered: 08/30/2007)
08/28/2007		CASHIERS OFFICE REGISTRY DEPOSIT from Judge Laura Taylor Swain, received \$2,325,132.27 Receipt Number 625593 on 8/27/07. (dig) (Entered: 08/28/2007)
09/12/2007	13	CERTIFICATE OF SERVICE of Pre-Trial Order served on Third Party Defendants on 9/10/2007. Service was made by Fed Ex. Document filed by Levi Strauss & Co.. (Cohen, Jeffrey) (Entered: 09/12/2007)
09/13/2007	14	AFFIDAVIT OF SERVICE. QST Dominicana LLC served on 8/29/2007, answer due 9/18/2007. Service was accepted by Jeff Carlevato, Chief Financial Officer. Document filed by Levi Strauss & Co.. (Sussman, Ronald) (Entered: 09/13/2007)
09/13/2007	15	AFFIDAVIT OF SERVICE of Summons and Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,. US Paper & Chemical served on 9/5/2007, answer due 9/25/2007. Service was accepted by Donna Brizard. Document filed by Levi Strauss & Co.. (Sussman, Ronald) (Entered: 09/13/2007)
09/13/2007	16	AFFIDAVIT OF SERVICE of Summons and Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,. Apparel Machinery & Supply Co. served on 8/29/2007, answer due 9/18/2007. Service was accepted by Cheryl Bacharach, Manager. Document filed by Levi Strauss & Co.. (Sussman, Ronald) (Entered: 09/13/2007)
09/13/2007	17	AFFIDAVIT OF SERVICE of Summons and Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,. YKK Snap Fasteners America, Inc. served on 8/29/2007, answer due 9/18/2007. Service was accepted by Lynn McDonald, CT Corporation Registered Agent. Document filed by Levi Strauss & Co.. (Sussman, Ronald) (Entered: 09/13/2007)
09/13/2007	18	AFFIDAVIT OF SERVICE of Summons and Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,. Southern Textile Dominicana, Inc. served on 8/27/2007, answer due 9/17/2007. Service was accepted by Peter Longo, Chairman (Precision Custom Cutting). Document filed by Levi Strauss & Co.. (Sussman, Ronald) (Entered: 09/13/2007)
09/13/2007	19	AFFIDAVIT OF SERVICE of Summons and Answer to Complaint, Third Party Complaint, Counterclaim,,,,,,. The Graphic Label Group Dominicana, Inc. served on 8/29/2007, answer due 9/18/2007. Service was accepted by Matthew Gowdy, Vice President. Document filed by

		Levi Strauss & Co.. (Sussman, Ronald) (Entered: 09/13/2007)
09/13/2007	<u>20</u>	AFFIDAVIT OF SERVICE of Summons and Answer to Complaint, Third Party Complaint, Counterclaim,,,,,, Tag-It Pacific, Inc. served on 8/28/2007, answer due 9/17/2007. Service was accepted by Lori Schnider, Registered Agent. Document filed by Levi Strauss & Co.. (Sussman, Ronald) (Entered: 09/13/2007)
09/17/2007	<u>21</u>	NOTICE of Stipulation Extending Time to Answer. Document filed by YKK Snap Fasteners America, Inc.. (Taylor, Jill) (Entered: 09/17/2007)
09/19/2007	<u>22</u>	STIPULATION EXTENDING TIME TO ANSWER, IT IS HEREBY STIPULATED that YKK Snap Fasteners America, Inc. time to appear, answer or otherwise move with respect to the complaint is extended to 10/1/07. (Signed by Judge Laura Taylor Swain on 9/19/07) (tro) (Entered: 09/19/2007)
09/20/2007	<u>23</u>	STIPULATION EXTENDING TIME TO RESPOND TO COUNTERCLAIM: the time for Banco Popular Dominicano, C. Por A. to answer, move or otherwise respond to the counterclaim is extended to 10/3/2007. (Signed by Judge Laura Taylor Swain on 9/20/07) (kco) (Entered: 09/20/2007)
09/21/2007	<u>24</u>	REVISED INITIAL CONFERENCE ORDER: A pre-trial conference shall be held on 12/7/2007 at 02:15 PM in Courtroom 17C, 500 Pearl Street, New York, NY 10007 before Judge Laura Taylor Swain. (Signed by Judge Laura Taylor Swain on 9/21/07) (dle) (Entered: 09/21/2007)
09/21/2007	<u>25</u>	CERTIFICATE OF SERVICE of Revised Initial Conference Order on 9/21/07. Service was made by MAIL. Document filed by Banco Popular Dominicano, C. Por A.. (Shuttleworth, Mary Ellen) (Entered: 09/21/2007)
09/25/2007	<u>26</u>	STIPULATION that the time for QST to answer or otherwise respond to Levi's Third Party Complaint in Interpleader until, and including, 10/3/07. QST agrees to waive its objection that the Third Party Complaint was improperly served but QST does not waive any other potential jurisdictionl objections. This stipulation in no way precludes QST from seeking further extensions. (Signed by Judge Laura Taylor Swain on 9/24/07) (dle) (Entered: 09/25/2007)
10/01/2007	<u>27</u>	STIPULATION OF DISMISSAL WITH PREJUDICE AS TO THIRD PARTY DEFENDANT, TAG-IT PACIFIC, INC.: IT IS HEREBY STIPULATED AND AGREED, that the third-party action against Tag-It is hereby dismissed with prejudice. (Signed by Judge Laura Taylor Swain on 10/1/07) (tro) (Entered: 10/01/2007)
10/01/2007	<u>28</u>	NOTICE of Second Stipulation Extending Time to Answer. Document filed by YKK Snap Fasteners America, Inc.. (Taylor, Jill) (Entered: 10/01/2007)
10/03/2007	<u>29</u>	ANSWER to Counterclaim. Document filed by Banco Popular Dominicano, C. Por A..(Shuttleworth, Mary Ellen) (Entered: 10/03/2007)

10/05/2007	<u>30</u>	STIPULATION EXTENDING TIME TO ANSWER, that the time for third party defendant YKK Snap Fasteners America to answer with respect to the complaint is extended up to and including 10/10/07. YKK Snap Fasteners America, Inc. answer due 10/10/2007. (Signed by Judge Laura Taylor Swain on 10/5/07) (cd). Additional attachment(s) added on 10/9/2007 (kkc). (Entered: 10/05/2007)
10/05/2007	<u>31</u>	STIPULATION: QST's time to answer or otherwise respond to Levi's Third Party Complaint in Interpleader until and including 10/24/2007. (Signed by Judge Laura Taylor Swain on 10/5/07) (kco) (Entered: 10/09/2007)
10/05/2007		Set Deadlines: QST Dominicana LLC answer due 10/24/2007. (kco) (Entered: 10/09/2007)
10/10/2007	<u>32</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by YKK Snap Fasteners America, Inc..(Strongin, Howard) (Entered: 10/10/2007)
10/10/2007	<u>33</u>	ANSWER to Third Party Complaint with JURY DEMAND., CROSSCLAIM against Interamericana Apparel Company, Inc., Interamericana Products International, S.A.. Document filed by YKK Snap Fasteners America, Inc..(Strongin, Howard) (Entered: 10/10/2007)
10/10/2007	<u>34</u>	DEMAND for Trial by Jury. Document filed by YKK Snap Fasteners America, Inc..(Strongin, Howard) (Entered: 10/10/2007)

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